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*Counsel for Compass Financial Partners LLC and  
 Compass USA SPE LLC*

**UNITED STATES DISTRICT COURT  
 FOR THE SOUTHERN DISTRICT OF NEW YORK**

|                              |   |                                        |
|------------------------------|---|----------------------------------------|
| CCM PATHFINDER POMPANO       | ) |                                        |
| BAY, LLC                     | ) | Case No: 08 Civ. 5258 (JSR)            |
|                              | ) |                                        |
| Plaintiff,                   | ) |                                        |
|                              | ) |                                        |
| -against-                    | ) | <b>NOTICE OF MOTION FOR ORDER</b>      |
| COMPASS FINANCIAL PARTNERS   | ) | <b>TRANSFERRING VENUE OF REMOVED</b>   |
| LLC and COMPASS USA SPE LLC, | ) | <b>ACTIONS TO UNITED STATES</b>        |
|                              | ) | <b>DISTRICT COURT FOR THE DISTRICT</b> |
| Defendants.                  | ) | <b>OF NEVADA</b>                       |

**PLEASE TAKE NOTICE** that on August 11, 2008, at 4:30 p.m., or as soon thereafter as the matter may be heard, before the Honorable Jed S. Rakoff, at the United States District Court for the Southern District of New York, at the United States District Courthouse, 500 Pearl Street, Courtroom 14-B, New York, New York, Defendants Compass Financial Partners LLC and Compass USA SPE LLC (“Compass”) will move this Court for an order pursuant to 28 U.S.C. § 1404(a) and 1412, transferring venue of this case to the United States District Court, District of Nevada.

This Motion is based on this Notice of Motion, the accompanying Memorandum of Points and Authorities; the Declaration of Gabriel Weaver filed concurrently herewith; all pleadings and papers on file in this action; and such further evidence or argument as may be heard by the Court at the time of hearing on the motion.

Dated: June 26, 2008

MILBANK, TWEED, HADLEY & McCLOY LLP

By: Hake Weis

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TO: DLA PIPER US LLP  
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**UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF NEW YORK**

CCM PATHFINDER POMPANO BAY, )  
LLC, ) 08 Civ. 5258 (JSR)  
 )  
Plaintiff, )  
 )  
-against- ) **CERTIFICATE OF SERVICE**  
 )  
COMPASS FINANCIAL PARTNERS )  
LLC and COMPASS USA SPE LLC, )  
 )  
Defendants. )

**CERTIFICATE OF SERVICE**

I hereby certify that on June 16, 2008, I caused a true and correct copy of the NOTICE OF MOTION, MEMORANDUM OF POINTS AND AUTHORITIES IN SUPPORT OF MOTION FOR ORDER TRANSFERRING VENUE OF REMOVED ACTIONS TO UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEVADA, and DECLARATION OF GABRIEL WEAVER to be served by the Court's ECF System upon the following:

Betty M. Shumener  
Todd B. Marcus  
Robert J. Odson  
DLA Piper US LLP  
1251 Avenue of the Americas  
New York, NY 10020  
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DATED: June 26, 2008

By: Gabriel Weaver